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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,837	12/29/2003	Christine Baumeister	886-131us	2773

7590 03/02/2011

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EXAMINER	
NGUYEN, KHAI N	
ART UNIT	PAPER NUMBER
2614	
MAIL DATE	DELIVERY MODE
03/02/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/748,837	BAUMEISTER ET AL.	
	Examiner	Art Unit	
	Khai N. Nguyen	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 November 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-8,23-25 and 27-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-8,23-25 and 27-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on November 16, 2010 has been entered.

Response to Amendment

1. Applicants' amendment filed on December 2, 2010 has been entered. Claims **1**, **23**, and **24** have been emended. Claims 3, 9-22, 26, and 31-38 have been canceled. No claims have been added. Claims 1-2, 4-8, 23-25, and 27-30 are still pending in this application, with claims **1**, **23**, and **24** being independent.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1-2, 4-8, 23-25, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borst et al. (U.S. Pat. No. 6,366,668 hereinafter "Borst") in view of Chambers et al. (U.S. Pat. No. 7,043,006 hereinafter "Chambers").

As for claims 1 and 24, Borst teaches a call routing system for use in directory assistance, said routing system (Figs. 1-11) comprising:

a primary call routing device (Fig. 1, 103 Call Allocator, Fig. 4, 110 Non-Central/Primary Automatic Call Distribution (ACD)) at a first call center (Fig. 9, 110 Non-Central/Primary ACD, 900 Sub-network/Sub-system) in the directory assistance system configured to receive directory assistance calls from callers and to determine using a first call distribution process/call distribution logic (Fig. 1, 103 Call Allocator, 102, Alternate Destination Call Redirection (ADCR), Fig. 2, Fig. 3, step 300 ACD Call Arrives, step 302 Route call to Destination ACD System, column 3 lines 37-39), for each of said calls, whether said calls will be handled by said first call center (Fig. 9, 102 ADCR, 900 Sub-networks/Sub-systems), or by a second call center (Fig. 9, 102 ADCR, 901 Sub-networks/Sub-systems) in said directory assistance system among a plurality of call centers (Fig. 9, 900-901 Sub-networks/Sub-systems) (Fig. 1, 110 Non-Central/Primary ACD, Fig. 2, column 3 lines 1-11, lines 17-20, i.e., routes calls of each call type to each ACD systems, and lines 27-28, i.e., non-central or primary ACD 110, Fig. 4, Fig. 9, column 4, lines 29-45, i.e., a plurality of sub-networks/sub-systems each with its own ACD systems, wherein a sub-network/sub-system reads on a call center and an ACD reads on a call routing device/router);

a secondary router (Fig. 1, Fig. 4, 111 Central/Backup ACD) at said first call center (Fig. 9, 111 Central/Backup ACD, 900 Sub-network/Sub-system) in said directory assistance system, said secondary router (Fig. 1, Fig. 4, 111 Central/Backup ACD)

configured to initially route said calls within said first call center to said primary call routing device (Fig. 4, 110 Non-Central/Primary ACD) and among said first call center and said plurality of call centers (Fig. 9, 900-901 Sub-networks/Sub-systems) in said directory assistance systems (Fig. 1, Figs. 3-4, Fig. 9, column 3, lines 12-57).

Borst teaches all calls type to the primary router wherein the primary router using a first call distribution process to determine the calls will be handled among the plurality of ACD systems (Figs. 1-11, column 1 lines 53--56) and an individual ACD employs a second default call distribution process to determine that it can handle the calls or an alternate destination ACD can handle the call (Figs.1-11, column 1 lines 56-67). Borst further teaches wherein if said primary call routing device is busy (Fig. 3, step 308 Return “Busy” to Routing Node), said secondary call router (Fig. 1, Fig. 4, 111 Central/Backup ACD) employs a second default call distribution process to route said calls (Fig. 1, Figs. 3-4, Fig. 9, column 3, lines 12-57), and a secondary ACD system check whether the primary ACD system is presenting a “busy” indication to arriving calls, and use this as the criterion for determining to route the calls (Figs.1-11, column 4 line 65 through column 5 line 3, wherein "busy” indication reads on “off-line”).

However, Borst does not explicitly disclose in detail that the primary router and the secondary router are located at the first call center, although Borst discloses in Figure 9 a sub-network with its own primary ACD and secondary ACD (Fig.9, column 4 lines 29-40) wherein the sub-network reads on the first call center, in addition, the feature that a primary router and a secondary router located at a single center is old and

well known in the art as described below in two of many class 379/370 references. Eng et al. (U.S. Pat. No. 6,195,359) teach a single center with a primary router (See Eng – Fig.1, 1 Remote Access Server System, 2 Primary Router) and a secondary router (See Eng - Fig.1, 1, 5 Secondary Router) wherein incoming calls are directed at the primary router, but are routed through the secondary router (See Eng - Fig.1, Abstract, column 3 lines 25-27, and column 13 lines 30-32).

In the same field of communications technology, Chambers teaches an enterprise call center that using a primary router (See Chambers – Fig.1, Fig.2, 200 Enterprise Call Center, 210 Primary main Control Unit ("MCU A")) and a secondary router (See Chambers – Fig.1, Fig.2, 200, 212 Secondary main Control Unit ("MCU B")), and MCU A 210 and MCU B 212 are configured to perform call and control processing functions to form a redundant pair providing the enterprise call center 200 with disaster tolerance when either MCU A 210 or MCU B 212 fails "off-line" (See Chambers – Figs.1-2, column 9 lines 43-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Borst by providing the above described feature such as an enterprise call center that using a primary router and a secondary router, as taught by Chambers. The combination of the disclosures taken as a whole suggests that users would have benefited from detail techniques for providing the call distribution processes within a call center with a primary router/ACD and a secondary router/ACD.

Regarding claims 2 and 25, Borst teaches a method and a call routing system, wherein said secondary router is configured to determine the online/off-line status of said primary call routing device (Figs. 1-11, column 3, lines 46-55, i.e., a rejection signal (e.g., a “busy” signal) triggers the Alternate Destination Call Redirection (ADCR) feature).

Regarding claims 4 and 27-29, Borst teaches a transfer router (Fig. 1, Fig. 9, 102 ADCR, 900-901 Sub-networks/Sub-systems), said transfer router configured to transfer calls between said first call center (Fig. 1, Fig. 9, 900) and a second call center (Fig. 1, Fig. 9, 901) in said directory assistance system via a Wide Area Network (WAN), the Internet, and/or a packet switched network (Fig. 1, Fig. 9, 100 PSTN, column 2, lines 54-60, i.e., interconnected (networked) via the public switched telephone network (PSTN), the Internet, or some other communications network, and column 4, lines 29-40).

Claim Rejections - 35 USC § 103

4. Claims 5-8, 23, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borst in view of Chambers, in view of Shtivelman, and in view of Foladare et al. (U.S. Patent Number 5,978,671 hereinafter "Foladare").

As for claim 23, Borst and Chamber disclose everything claimed as applied above (see claims 1 and 24 above). Borst further teaches a frequent caller routing

module (Fig. 1, 103 Call Allocator, 102, Alternate Destination Call Redirection (ADCR)), attempts to designate a desired predefined percentage of calls of the total numbers of calls to said directory assistance system (Figs. 1-11, Abstract, column 1 lines 53-54, and column 5 lines 25-30, i.e., distributes calls to a plurality of ACD systems on a fixed percentage). However, Borst and Chamber do not explicitly disclose a frequent caller database configured to store information corresponding to frequent callers and determining if a particular caller's information is stored in said frequent caller database wherein if said caller's information is stored in said frequent caller database, and determines if said caller is to receive priority call routing wherein said frequent caller routing module attempts to designate a desired predefined percentage of calls of the total numbers of calls to said directory assistance system as priority calls.

In the same field of communications technology, Foladare teaches a frequent caller database configured to store information corresponding to frequent callers (see Foladare – Figs. 1-2, column 2, lines 27-48). And, Shtivelman teaches the call routing system to determine if said caller is to receive priority call routing wherein said frequent caller routing module attempts to designate a desired predefined percentage of calls of the total numbers of calls to said directory assistance system as priority calls (See Shtivelman - Fig. 1, 15, 16, 19, 21, par [0038], i.e., selection of a percentage of callers for diversion, and par [0040]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Borst and Chambers by providing the above described features, as taught by Foladare and Shtivelman. The combination of

the disclosures taken as a whole suggests that users would have benefited from detail techniques for designating a desired predefined percentage of calls of the total numbers of calls to the frequent callers' calls as priority calls.

As for claims 5-6 and 30, Borst and Chambers disclose everything claimed as applied above (see claims 1, 4, and 24 above). Shtivelman teaches a method and a call routing system, wherein said primary call routing device routes a portion of said plurality of said incoming calls to said second call center when said first call center in said directory assistance system is experiencing high call volume and/or offline (Figs 1-2, par [0048], i.e., calls are diverted when call volume is exceeded a preset threshold "offline", and par [0050]).

As for claims 7-8, Borst and Chambers disclose everything claimed as applied above (see claims 1 and 4 above). And, Shtivelman teaches a call routing system, further comprising an automatic call distribution call center, configured to receive a portion of said is plurality of calls from said secondary router and distribute them among a plurality of operator terminals disposed within said first call center in said directory assistance system, and where in said second call center in said directory assistance system further comprises a second automatic call distribution call center configured to receive a portion of said plurality of calls from said secondary router and distribute them among a plurality of operator terminals disposed within said second call center (Fig. 1,

par [0050], i.e., call center 13, call center 15 and other call centers may only have a certain percentage of incoming calls).

Response to Arguments

5. Applicants' arguments with respect to the amended independent claims 1, 23, 24 and their dependent claims 2, 4-8, 25, and 27-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Collins (U.S. Pub. No. 2003/0125084 A1) teaches a first call process server and a second call process server to form a load sharing group.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai N. Nguyen whose telephone number is (571) 270-3141. The examiner can normally be reached on Monday-Thursday 6:30AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Khai N Nguyen/
Examiner, Art Unit 2614

02/27/2011